

52-3-4 Exceptions in towns and rural areas.

- (1) In a town, as defined in Section 10-1-104, this chapter shall not apply to the employment of uncles, aunts, nephews, nieces, or cousins.
- (2) This chapter shall not apply to the employment of a relative if:
 - (a) fewer than 3,000 people live within 40 miles of the primary place of employment, measured over all weather public roads;
 - (b) the job opening has had reasonable public notice; and
 - (c) the relative is the best qualified candidate for the position.
- (3) In any proceeding challenging the hiring of a relative under the exception in Subsection (2), the employer has the burden of establishing each of the criteria provided in Subsections (2)(a) through (c).

Amended by Chapter 13, 1998 General Session